



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,749	04/09/2004	Sang-hak Kim	1572.1271	8795
21171 7590 06/08/2007 STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			EXAMINER YENKE, BRIAN P	
			ART UNIT 2622	PAPER NUMBER
			MAIL DATE 06/08/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/820,749

**Applicant(s)**

KIM, SANG-HAK

**Examiner**

BRIAN P. YENKE

**Art Unit**

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on RCE (09 May 07)/Amendment (24 Apr 07).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4 and 7-18 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/24/07 has been entered.

### ***Response to Arguments***

2. Applicant's arguments filed 22 Jan 07 have been fully considered but they are not persuasive.

#### ***Applicant's Argument's***

- a) Applicant states that neither Yasuo nor Bortolotto disclose a "a projection television".
- b) Applicant states Yasuo/Bortolotto/AAPA are silent regarding any supporting unit provided on an inside of the body casing and supporting a bottom of the screen.

#### ***Examiner's Response***

- a) The examiner disagrees. Given the broadest reasonable interpretation of the claimed invention both Yasuo and Bortolotto disclose/illustrate the use of a CRT (Cathode Ray Tube) which by definition is used to project light onto a screen/display. The claim does differentiate nor limit itself to a front projection or alternatively a rear projection system, thus the limitation is still met by the references as shown below.
- b) The examiner disagrees. Given the broadest reasonable interpretation, the inside of the casing as illustrated by Yasuo, supports the entire TV receiver including the screen, since if it wasn't

supported it wouldn't be stationary, nor would the casing be able to hold the weight of the system, thus the limitation is met. Bortolotto disclose that the bottom of the box-like structure is provided with holes or grilles connected to the outside to communicate with the atmosphere, thereby discharging moisture in the system in addition to allowing the system to maintain correspondence with the atmosphere, thus the limitation is met. In addition with the limitations known via AAPA, the combination obviate those claims as indicated below.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2a. Claim1 rejected under 35 U.S.C. 103(a) as being unpatentable over Yasuo, US 5,014,909.

Yasuo discloses a television 3 which includes a screen as shown (Fig 4), which includes a body, as well as a body of the container case 5, wherein the case forms an outer appearance and supports a bottom of the screen as shown, wherein the case also includes a drain hole 4, which discharges moisture from the dehumidifier in the case and the TV/screen. Yasuo discloses a supporting unit (case 5) which is positioned beneath/above and along the sides of the screen/TV to support the TV/including the screen.

Although, Yasuo does not explicitly recite the drain hole being "positioned directly underneath the screen", the concept of shifting the location of parts (in this case the hold) is considered to be an obvious modification to one of ordinary skill in the art (*Shifting location of parts – In re Japikse, 181 F.2d 1019, 1023, 86 USPQ 70, 73 (CCPA 1950)*).

As recently decided by the Supreme Court in *KSR Int', Co vs Teleflex, Inc*, the modification of prior art which produces a "predictable result/variation" likely bars it's patentability. In the instant case,

Art Unit: 2622

the movement of the drain hole (i.e. under the screen) would have been predictable since moisture in a viewing display (i.e. screens or mirrors) is conventionally avoided.

2b. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bortolotto, EP-700209 (Derwent 1996-131131).

In considering claim 1,

Bortolotto discloses a TV cabinet (10) integrated into a modular furniture structure (12), to enclose CRT 19, wherein the structure includes holes or grilles (17,18,25,26) to communicate with the atmosphere (thus discharging moisture).

Although, Bortolotto does not explicitly recite the drain hole being "positioned directly underneath the screen", the concept of shifting the location of parts (in this case the hold) is considered to be an obvious modification to one of ordinary skill in the art (*Shifting location of parts – In re Japikse, 181 F.2d 1019, 1023, 86 USPQ 70, 73 (CCPA 1950)*).

As recently decided by the Supreme Court in *KSR Int', Co vs Teleflex, Inc*, the modification of prior art which produces a "predictable result/variation" likely bars it's patentability. In the instant case, the movement of the drain hole (i.e. under the screen) would have been predictable since moisture in a viewing display (i.e. screens or mirrors) is conventionally avoided.

2c. Claims 1-3 and 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over AAPA (Applicant's Admitted Prior Art (Figs 5-6)).

In considering claim 1,

As disclosed by applicant, AAPA (Figs 5-6) discloses the claimed screen, the claimed body, the claimed supporting.

However, AAPA does not explicitly recite the use of a drain hole/position of such.

Since the use of a drain hole at the bottom (or multiple positions) is well known in the art the examiner will take "OFFICIAL NOTICE" regarding such, since the use of holes for reducing/removing

Art Unit: 2622

moisture in such an apparatus has been previously done. In the event the applicant wishes to traverse such notice, the examiner notes the above cited references, Yasuo and Bortolotto.

In considering claims 2-3 and 5-6,

AAPA (Figs 5-6) disclose the claimed insertion groove 110 which includes first/second insertion grooves (Fig 6, 111, 112) which are formed a different levels.

Regarding the limitation "to discharge moisture", since the Prior Art is situated in the same position as claimed, the intended use/different purpose for a same device is not a patentable feature.

AAPA also discloses the lenticular lens on the front and the fresnel sheet on a rear of the screen.

***Allowable Subject Matter***

3. Claims 4 and 7-18 are allowed.

***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Yenke whose telephone number is (571)272-7359. The examiner work schedule is Monday-Thursday, 0730-1830 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, David L. Ometz, can be reached at (571)272-7593.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

**(571)-273-8300**

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703)305-HELP.

General information about patents, trademarks, products and services offered by the United States Patent and Trademark Office (USPTO), and other related information is available by contacting the USPTO's General Information Services Division at:

800-PTO-9199 or 703-308-HELP

(FAX) 703-305-7786


(TDD) 703-305-7785

An automated message system is available 7 days a week, 24 hours a day providing informational responses to frequently asked questions and the ability to order certain documents. Customer service representatives are available to answer questions, send materials or connect customers with other offices of the USPTO from 8:30 a.m. - 8:00p.m. EST/EDT, Monday-Friday excluding federal holidays.

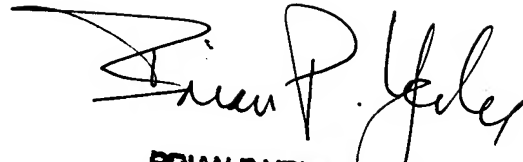
For other technical patent information needs, the Patent Assistance Center can be reached through customer service representatives at the above numbers, Monday through Friday (except federal holidays) from 8:30 a.m. to 5:00 p.m. EST/EDT.

The Patent Electronic Business Center (EBC) allows USPTO customers to retrieve data, check the status of pending actions, and submit information and applications. The tools currently available in the Patent EBC are Patent Application Information Retrieval (PAIR) and the Electronic Filing System (EFS).

PAIR (<http://pair.uspto.gov>) provides customers direct secure access to their own patent application status information, as well as to general patent information publicly available. EFS allows customers to electronically file patent application documents securely via the Internet. EFS is a system for submitting new utility patent applications and pre-grant publication submissions in electronic publication-ready form. EFS includes software to help customers prepare submissions in extensible Markup Language (XML) format and to assemble the various parts of the application as an electronic submission package. EFS also allows the submission of Computer Readable Format (CRF) sequence listings for pending biotechnology patent applications, which were filed in paper form.



B.P.Y.  
25 May 2007



BRIAN P. YENKE  
PRIMARY EXAMINER